

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.145 of 2006

In

A.O.No.411 of 2001

Mohinuddin J. Shaikh .. Applicant

V/s

Amirtali Abdul Virani and Ors..Respondents

S.S.Mishra for A.R.Pande for Applicant

Shri V.T.Lulia for M.S.Diwadkar for Respondent nos.2
and 3.

CORAM:S.R.SATHE, J.

DATED:7th April 2006

P.C.:-

. Heard Mr.Mishra holding for A.R.Pande for Applicant.
He submits that Advocate Mr.Pande has gone out of
Station and as such matter be adjourned. This is
strongly opposed by other side. The record shows that
previously also the matter was adjourned at the
instance of the applicant. Moreover admittedly the
suit has been disposed of. So, in fact A.O. is not
maintainable. The learned Advocate for the applicant
also submits that he has filed application for

restoration of the suit but admittedly the same is not restored nor any stay is granted in the same.

. Under the circumstances there is no justifiable reason to grant any adjournment. The matter is dismissed for default as Mr.Pande is not present and the advocate holding is not ready to proceed with the matter.

. Parties to act on the authenticated copy of this order.

(S.R.SATHE, J.)